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Dated: October 20, 2004

Signature:

Martina Placid
(Martina Placid)

Docket No.: 529452000125
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
David W. MORRIS et al.

Application No.: 10/004,113

Confirmation No.: 3901

Filed: October 23, 2001

Art Unit: 1642

For: NOVEL COMPOSITIONS AND METHODS
FOR CANCER

Examiner: A. Harris

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the restriction requirement set forth in the Office Action mailed April 20, 2004, for which a response was due on May 20, 2004. A petition for extension of time is enclosed extending the time to respond from May 20, 2004, to October 20, 2004. Accordingly, this Response is timely filed.

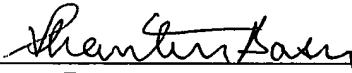
Applicants hereby elect from Groups 181-240 (claims 8-9), genes corresponding to SEQ ID NOS: 52, 53 and 54 in Table IX for continued prosecution (Groups 232, 233 and 234). Applicants submit that claims 8 and 9 corresponding to SEQ ID NOS: 52, 53 and 54 (Groups 232, 233 and 234) are genomic, mRNA and coding sequences of the same gene (IRF4) and thus present no additional search burden and request joinder of these Groups for examination. In the event Applicants' request for joinder is not found persuasive, Applicants request Group 234 (claims 8 and 9 corresponding to SEQ ID NO: 54)

CONCLUSION

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing (529452000125). However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: October 20, 2004

Respectfully submitted,

By 
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